of telephone calls for which said ToL gatekeepr has not provided call control services and processed via said TFA gateway.

REMARKS

Upon entry of the instant Amendment, Claims 1-20 are pending. Claims 1, 6 and 14 are amended.

Claims 1-20 have been rejected under 35 U.S.C. § 103 as being unpatentable over Spell et al., U.S. Patent No. 6,208,640 ("Spell") in view of Keeler et al., U.S. Patent No. 5,568,544 ("Keeler"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Spell or Keeler, either singly or in combination. As described in the Specification, one aspect of the invention relates to a combined ToL-PBX system which can support *both* ToL telephony and TFA or "Glass Phone" telephony. ToL telephony that uses local area networks may be based on the H.323 Recommendation and employ a server or gatekeeper that may gradually replace PBXs. Telephony feature access (TFA) telephony employs a TFA or "glass phone" device also coupled to the local area network, but which receives its call processing through the TFA controller on the PBX.

A problem in such a system is that the ToL gatekeeper is not aware of TFA calls and their bandwidth usage. Embodiments of the present invention, however, allow the TFA bandwidth usage to be accounted-for.

Thus, claim 1 has been amended to recite: "means associated with said server for accounting for bandwidth requirements of said one or more telephony devices operably coupled to said TFA gateway on said LAN and for calls for which said server has not performed said call processing;" claim 6 has been amended to recite "said PBX adapted to process calls for telephony feature access (TFA) devices on said LAN, said ToL server adapted to process calls for ToL devices on said LAN;" and claim 14 has been amended to recite "said PBX and TFA gateway

adapted to provide call processing for TFA telephones on said LAN" and "means associated with said ToL gatekeeper for monitoring bandwidth usage of telephone calls for which said ToL gatekeepr has not provided call control services and processed via said TFA gateway."

Contrary to the suggestion in the Official Action, Spell does not "disclose nearly all the subject matter now claimed." As discussed in response to the previous Official Action, Spell appears to relate merely to a bandwidth allocation system for an ISDN type system, *rather than a combined ToL-PBX system employing a TFA gateway associated with a PBX and a call server for ToL communications*, as generally recited in the claims at issue. Thus, Spell does not relate to *both* TFA gateway and ToL servers processing calls, as generally recited in the claims at issue.

Further, Spell contains, no hint that a Private Branch Exchange (PBX) including a TFA gateway for call processing on the local area network may be coupled to a local area network *for call processing on the network in addition to* a server coupled to a local area network for call processing. As described in the Specification, such a configuration may allow for easier migration from PBX-based telephony to LAN-based telephony. In contrast, if anything, Spell teaches away from use of a PBX, e.g., at Col. 1, line 17, in which Spell contrasts "old" PBXs with the "modern" use of ISDN, and the like.

Finally, Spell does not relate to accounting for the bandwidth used by a TFA gateway at the ToL server, as generally recited in the claims at issue.

Keeler is relied on for allegedly teaching various telephony control circuitry. However, like Spell, Keeler does not relate to a ToL-PBX system, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections of the claims.

For all of the above reasons, Applicant respectfully submits that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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MARKED UP CLAIMS

1. (Twice Amended) A telecommunications system, comprising:

a private branch exchange (PBX) coupled to a local area network, said PBX including a telephony feature access gateway (TFA);

a server coupled to said local area network, said server configured to provide call processing via said LAN and configured to monitor bandwidth usage of calls it has processed on said LAN;

one or more telephony devices operably coupled to said TFA gateway for call processing;

one or more second telephony devices operably coupled to said server for call processing; and

means associated with said server for accounting for bandwidth requirements of said one or more telephony devices operably coupled to said TFA gateway on said LAN and for calls for which said server has not performed said call processing.

6. (Twice Amended) A method for communicating in a system including a PBX and a ToL server coupled to a LAN, said PBX adapted to process calls for telephony feature access (TFA) devices on said LAN, said ToL server adapted to process calls for ToL devices on said LAN, said method comprising:

informing said ToL server of a call setup message associated with said PBX and TFA devices;

accessing a database at said ToL server to determine if bandwidth is available on said LAN for a call processed by said PBX; and

sending a message to abort said call if bandwidth is not available.

14. (Amended) A system for processing telephone calls, comprising:

a private branch exchange (PBX) coupled to a local area network (LAN), said PBX having associated therewith a telephony feature access (TFA) gateway, said PBX and TFA gateway adapted to provide call processing for TFA telephones on

said LAN;

a telephony over LAN (ToL) gatekeeper coupled to said LAN and configured to provide call control services for ToL phone calls on said LAN; and

means associated with said ToL gatekeeper for monitoring bandwidth usage of telephone calls for which said ToL gatekeepr has not provided call control services and processed via said TFA gateway.